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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,135	01/12/2000	Kent E Regnier	99-247US	6601

23683 7590 07/11/2003

MOLEX INCORPORATED
2222 WELLINGTON COURT
LISLE, IL 60532

EXAMINER

PRASAD, CHANDRIKA

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/482,135

Applicant(s)

REGNIER, KENT E

Examiner

Chandrika Prasad

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

Response to Appeal Brief

1. In view of the Appeal Brief filed on 05/06/03, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below. Any inconvenience caused by such an action is deeply regretted.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Both independent claims 1 and 22 recite "retention members engaging at least one of said contacts so as to impart ungapped condition to the connector" which is not definite. What is meant by ungapped condition to the connector. Ungapped condition generally refers to a condition between two surfaces or members. Engagement between the retention member and the contacts imparts ungapped condition between the contact and the retention member only.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4, 6, 11, 13-20, 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kendall, Jr. (4,131,331).

Kendal (Figures 1-2) shows an electrical connector having an unitary dielectric housing 14, 14' with an open receptacle formed by the wall 16, 16' and having a through axis, an electrically conductive contact 10 positioned within the receptacle and a resilient retention member 18, 18' positioned within the receptacle to provide an ungapped condition between the contact and the retention member as well as an ungapped condition between the retention member and the receptacle. The retention member has an opening for receiving the contact, which substantially fills the opening. The housing provides stop surfaces to prevent axial as well as transverse movement of

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the retainer, the retainer being in between the stop surfaces and the contact. The contact has portions extending at two sides of the retainer, which are partially within the housing. The ungapped condition provides compliant and stable mount for the contacts. The external surface of the retention member engages the receptacle. The interior surface of the receptacle is parallel to the axis and acts as a stop surface for the retention member.

But Kendall does not show a plurality of contacts, receptacles and retention members. Such a feature is well known in the art of electrical connectors. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide a plurality of receptacles, retention members and contacts because this would require a mere duplication of essential parts, which involve only routine skill in the art. *St. Regis Paper Co. vs. Bemis Co.*, 193 USPQ 8.

6. Claims 5, 7-10, 21, 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kendall, Jr. in view of Roath et al.

Kendall shows all the features of these claims as described in Paragraph 5 above except a portion of the contact being bent at an acute angle to the axis after insertion into the receptacle, spacing between the contacts 1 mm or 0.05 inch and the contacts having a land portion and a terminal portion. The instant invention does not provide any reasons or specific problem to be solved by these features. These features are well known in the art of electrical connectors. Roath (Figures 1-25) shows an electrical connector having a plurality of electrically conductive contacts 13 with land portion 13c and a terminal portion 13t, which is bent before or after assembly at an

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acute angle to its axis and the contacts are arranged in an array in 1 mm or 0.05 inch grid.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kendall, Jr. in view of Laub.

Kendall shows all the features of this claim as described in Paragraph 5 above except the housing made of a plurality of strips. The instant invention does not provide any reasons or specific problems to be solved by making the housing as a plurality of strips. Such a configuration for a contact housing is shown by Laub. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to make the housing in several parts in the form of strips as shown by Laub because it has been held that constructing a formerly integral part in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179.

Response to Arguments

8. Applicant's arguments filed 12/16/02 have been fully considered but they are moot in view of new grounds of rejection. Kendall clearly shows ungapped conditions between the contact and the retention member as well as ungapped condition between the retention member and the receptacle in the housing.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fukuda and Beinhaur et al. also disclose ungapped condition

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between contacts, retention (seal) members and the receptacles in a connector housing.

Contact Information

10. Any correspondence to this action may be mailed to:

**Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450**


Hand-delivered responses should be brought to:

**Crystal Plaza 4, Fourth Floor (receptionist)
2201 South Clark Place, Arlington, Virginia**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad whose telephone number is (703) 308-0977.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached at (703) 308-2710. The fax number for this Group is (703) 872-9318 (general) and (703) 872-9319 for after-final.

Any inquiry of a general nature or relating to the status of this application or processing should be directed to the Group receptionist whose telephone number is (703) 308-1782.


Chandrika Prasad
Patent examiner
July 2, 2003